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PTO/SB/97 (08-04)

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44,524

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Transmittal Form PTO/SB/21 1 page

Office Action Amendment/Response 25 pages

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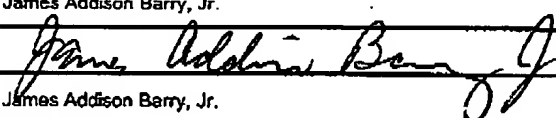
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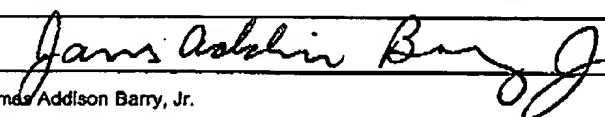
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/774,147	
	Filing Date	01/30/01	
	First Named Inventor	James Martin Billings	
	Art Unit	3824	
	Examiner Name	Narayanawany Subramanian	
Total Number of Pages in This Submission	26	Attorney Docket Number	SSL

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply 25 pages <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	James Addison Barry, Jr.		
Signature			
Printed name	James Addison Barry, Jr.		
Date	24 June 2005	Reg. No.	44,524

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Signature			
Typed or printed name	James Addison Barry, Jr.	Date	24 June 2005

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Application Number: 09/774,147
Amendment Dated 6/24/2005
Reply to Office Action of March 25, 2005

Page 1 of 25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**
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Serial No.: 09/774,147

JUN 25 2005

Applicant: James Martin Billings

Filed: 01/30/2001

Group Art Unit: 3624

Examiner: Narayanswamy Subramanian

For: A METHOD AND SYSTEM FOR PROVIDING DOWNSIDE PROTECTION OF
STOCK MARKET INVESTMENTS

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 25, 2005, having a shortened-statutory response period extending through and including June 24, 2005, please enter the attached amended claims, and consider the following remarks:

Introductory Comments:

This application has been carefully reviewed in light of the Office Action of March 25, 2005, wherein:

- A) Claim Rejections - 35 USC §112: Claims 4-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4 the phrase "is capable of" is vague and ambiguous. Similarly in claim 5 the phrase "being operative for" is vague and ambiguous. The Examiner stated that corrections were required. In claims 5-8, the Examiner stated that it is not